

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

SHAUN L. CHRISTENSEN,
Plaintiff,

vs.

PARK CITY MUNICIPAL
CORPORATION, et al.,
Defendants.

MEMORANDUM DECISION AND
ORDER DENYING PLAINTIFF'S
MOTIONS TO VACATE AND FOR
PARTIAL SUMMARY JUDGMENT
WITHOUT PREJUDICE

Case No. 2:06-CV-202 TS

Plaintiff brings this suit based on alleged Constitutional violations including the First Amendment, the Fourteenth Amendment, and the Fourth Amendment. Plaintiff was arrested by Park City officials for selling artwork on government property without a license.

On April 8, 2010, Defendants requested a settlement conference. The Court granted this request and a settlement conference was set for May 27, 2010, before Magistrate Judge Warner. The dispositive motion deadline in this case is April 23, 2010. On April 21, 2010, Defendants submitted a motion to extend this deadline until June 17, 2010, in light of the settlement conference date. The Court agrees with Defendants that an extension of time for dispositive

motions is appropriate because it will save all parties time and money if the settlement conference is fruitful. Therefore, the Court has extended the dispositive deadline until June 17, 2010.

Shortly after Defendants filed their motion for an extension of time, Plaintiff filed these Motions to Vacate the Scheduling Order and for Partial Summary Judgment. Plaintiff argues that the settlement conference is inappropriate with a summary judgment motion dealing with Constitutional issues pending before the Court. However, the summary judgment motion was not pending at the time the settlement conference was scheduled. Moreover, the Court finds a settlement conference to be in the interests of judicial economy and fairness to the parties. Therefore, the Court will deny the Motion to Vacate and deny the Motion for Partial Summary Judgment without prejudice. Plaintiff may raise these issues again, if so inclined after resolution of the settlement conference.

Based on the above, it is hereby

ORDERED that Plaintiff's Motion to Vacate (Docket No. 79) is DENIED. It is further

ORDERED that Plaintiff's Motion for Partial Summary Judgment (Docket No. 80) is DENIED WITHOUT PREJUDICE.

DATED April 26, 2010.

BY THE COURT:



TED STEWART
United States District Judge